

Message

From: Tom Goldstein [REDACTED]
Sent: 8/7/2018 10:38:07 PM
To: [REDACTED]
Subject: Re: Google Statement Version 6 - edits.

I've thought through the work that's going on and don't think so, unfortunately.

Sent from ProtonMail Mobile

On Sun, Aug 5, 2018 at 9:37 AM, [REDACTED] wrote:
Any other projects that I could help you with?

Sent from my iPhone

On Aug 4, 2018, at 19:20, Tom Goldstein [REDACTED] wrote:

Thanks! I'll look at these.

I think the Google project is pretty much done for the time being. Nothing really to do on it for a while. Everything is on hold.

Let's keep you on the payroll for August so you can finish up any additional research. If that works for you. But I think that will probably be it.

Sent from ProtonMail Mobile

On Fri, Aug 3, 2018 at 2:41 PM, [REDACTED] wrote:
Hey Tom,

I didn't know if you wanted me to mess with the Google doc; I know there are others working on it so I'll send these thoughts directly to you.

:)

Between "d. Sun praised Android's release." and "3. Respondent subsequently acquired Sun and did a 180" I think it would be good to note that Android's platform was not the only competing project that did not take a license, and the others were not prosecuted.

Something like this:

Sun's free and open strategy historically led to competing projects such as GNU Classpath project. When Sun's former CEO (Schwartz) was asked about the aforementioned project needing to acquire a license, he responded "[They] absolutely [did] not... I was annoyed, but it was completely consistent with our practices. When you say APIs are open, there are competitive implementations."

Just pulled the above Schwartz quote from:

<https://arstechnica.com/tech-policy/2016/05/suns-jonathan-schwartz-at-trial-java-was-free-android-had-no-licensing-problem/>

I did not verify the validity of the statement.

When you start a new section, you might want to specify which court you are referring to in order to avoid confusion - especially since the district court and the Federal Circuit were both mentioned in the section above?

3.a. Under this Court's precedents,

I see this again later on 7/9 (In a brief filed at this Court's invitation...)

This sentence makes sense, but it is weird to begin a paragraph with I think:

"That is so, the court held, even for expression that is an unprotected method of operation."

7/9 For example, respondent could have created methods that functioned differently and this were organized into different classes and packages. >>> For example, respondent could have created methods that functioned differently and were organized into different classes and packages. (Removed the extra "this")

Page 8 (a) missing citation?

Cheers,

[REDACTED]